

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/614,474

07/07/2003

Kimberly L. Person Hei

163.1404USC2

7611

7590 04/20/2007
Attn: Mark T. Skoog
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

EXAMINER

MCAVOY, ELLEN M

ART UNIT

PAPER NUMBER

1764

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

04/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/614,474

Applicant(s)

HEI ET AL.

Examiner

Ellen M. McAvoy

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 127-159 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 127-159 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>14 pages</u> | 6) <input type="checkbox"/> Other: _____ |

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

(1) Claim 136 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 16-31 of U.S. Patent No. 6,288,012. Although the conflicting claims are not identical, they are not patentably distinct from each other because the processes may be the same when the lubricant comprises a mixture of two or more types of substantially non-aqueous lubricants (dependent claim 31) selected from a polymer containing silicone, a polydimethylsiloxane compound and a polyalkylene glycol.

(2) Claims 136, 147-149 and 158-159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,495,494. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods may be the same when the mixture comprises 0.5 to 8 wt. %

silicone material, 50-90 wt.% of a water-miscible lubricant such as a hydroxy-containing compound, a polyalkylene glycol or glycerol, and 2-49.5 wt.% water (dependent claim 8).

(3) Claims 127-149, 156, 158 and 159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 62-100 of U.S. Patent No. 6,673,753. Although the conflicting claims are not identical, they are not patentably distinct from each other because, aside from the exact wording, the compositions of claims 127-135 and 137-146 and the methods of claims 136 and 147-149, 156, 158 and 159 are substantially identical to the compositions and methods in the patent.

(4) Claims 127-159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-45 of U.S. Patent No. 6,207,622. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods and compositions may be the same when the lubricant composition comprises about 2 to about 10 wt.% of an oleophilic lubricating material selected from a silicone fluid, silicone emulsion, fluorochemical fluid and a hydrocarbon fluid; and about 65 to about 85 wt. % of a hydrophilic lubricating material selected from a hydroxy-containing compound, polyalkylene glycol, copolymer of ethylene and propylene oxides, sorbitan ester or derivative thereof; and about 8 to about 33 wt.% of water or other diluent.

(5) Claims 136, 147-149 and 156-159 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 44- 48, 50-54 and 62-73 of copending Application No. 10/715,575. Although the conflicting claims are not

identical, they are not patentably distinct from each other because the methods may be the same when the water-miscible silicone material of the co-pending application is a polysiloxane.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

(6) Claims 136, 147-149 and 156-159 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 44-48, 50-54 and 62-73 of copending Application No. 10/715,692. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods may be the same when the water-miscible silicone material of the co-pending application is a polysiloxane.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

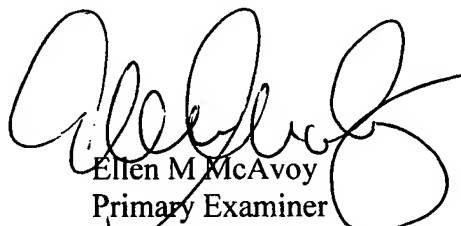
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen M. McAvoy whose telephone number is (571) 272-1451. The examiner can normally be reached on M-F (7:30-5:00) with alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on (571) 272-1444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 1764

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ellen M. McAvoy
Primary Examiner
Art Unit 1764

EMcAvoy
April 14, 2007

FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

163.1404USC2

Application Number:

10/614,474

Applicant: HEI ET AL.

Filing Date: JULY 7, 2003

Group Art Unit: 1764

Customer No.: 23552



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>gsh</i>	3,011,975	12/1961	NITZSCHE ET AL.	—	—	
<i>gsh</i>	3,213,024	10/19/1965	BLAKE ET AL.	—	—	
<i>gsh</i>	3,664,956	05/23/1972	MESSINA ET AL.	—	—	
<i>gsh</i>	3,981,812	09/21/1976	ZIETZ	—	—	
<i>gsh</i>	4,062,785	12/13/1977	NIBERT	—	—	
<i>gsh</i>	4,162,347	07/24/1979	MONTGOMERY	—	—	
<i>gsh</i>	4,248,724	02/1981	MACINTOSH	—	—	
<i>gsh</i>	4,252,528	02/24/1981	DECKER ET AL.	—	—	
<i>gsh</i>	4,262,776	04/21/1981	WILSON ET AL.	—	—	
<i>gsh</i>	4,324,671	04/13/1982	CHRISTIAN ET AL.	—	—	
<i>gsh</i>	4,343,616	08/10/1982	DECKER ET AL.	—	—	
<i>gsh</i>	4,436,200	03/13/1984	HODLEWSKI ET AL.	—	—	
<i>gsh</i>	4,478,889	10/1984	MARUHASHI ET AL.	—	—	
<i>gsh</i>	4,486,378	12/04/1984	HIRATA ET AL.	—	—	
<i>gsh</i>	4,515,836	05/07/1985	COBBS, JR. ET AL.	—	—	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
<i>gsh</i>	1157456	11/1983	CA	—	—		
<i>gsh</i>	0 844 299	05/27/1998	EP	—	—		
<i>gsh</i>	1564128	04/1980	GB	—	—		
<i>gsh</i>	57003892	01/1982	JP	—	—	X (Abstract only)	
<i>gsh</i>	06-136377	05/1994	JP	—	—	X (Abstract only)	
<i>gsh</i>	10053679	08/1996	JP	—	—	X (Abstract only)	
<i>gsh</i>	10059523	03/1998	JP	—	—	X (Abstract only)	

EXAMINER

DATE CONSIDERED

13 April 2007

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
<i>Hei</i>	7-268380	10/17/1995	JP	—	—	translation only	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

23552

PATENT TRADEMARK OFFICE

EXAMINER <i>Hei</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	



U.S. PATENT DOCUMENTS



EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>plu</i>	4,420,578	12/13/1983	HAGENS ET AL.	—	—	
<i>plu</i>	B1 4,478,889	07/22/1986	MARUHASHI ET AL.	—	—	
<i>plu</i>	4,769,162	09/06/1988	REMUS	—	—	
<i>plu</i>	5,202,037	04/13/1993	LAVELLE ET AL.	—	—	
<i>plu</i>	5,747,431	05/05/1998	TAYLOUR ET AL.	—	—	
<i>plu</i>	5,871,590	02/16/1999	HEI ET AL.	—	—	
<i>plu</i>	5,925,601	07/20/1999	MCSHERRY ET AL.	—	—	
<i>plu</i>	5,935,914	08/10/1999	THEYSSEN ET AL.	—	—	
<i>plu</i>	5,952,601	09/14/1999	SANFORD ET AL.	—	—	
<i>plu</i>	6,060,444	05/09/2000	SCHULZ ET AL.	—	—	
<i>plu</i>	6,087,308	07/11/2000	BUTLER ET AL.	—	—	
	09/619,261	07/19/2000				
<i>plu</i>	6,495,494 B1	12/17/2002	LI ET AL.	—	—	
<i>plu</i>	6,673,753 B2	01/06/2004	PERSON HEI ET AL.	—	—	
<i>plu</i>	6,743,758 B2	06/01/2004	LI ET AL.	—	—	

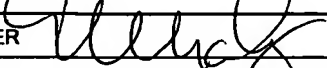
FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
<i>plu</i>	99305796.7	Not yet Published (Published as PCT WO 01/07554)	EP	—	—		
<i>plu</i>	07/247293	09/26/1995	JP	—	—	X	
<i>plu</i>	07/268380	10/17/1995	JP	—	—	X	
<i>plu</i>	WO 01/07554 A1	02/01/2001	PCT	—	—		
<i>plu</i>	WO 01/12759 A2	02/22/2002	PCT	—	—		

EXAMINER: <i>plu</i>	DATE CONSIDERED: 13 April 2007
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Docket Sheet for U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231, October 25, 2004
	Docket Sheet for U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, October 25, 2004
	Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231 March 7, 2003
	Ecolab's Memorandum of Law in Support of Its Motion for a Preliminary Injunction, March 28, 2003
	Declaration of Tom Arata, March 28, 2003
	Declaration of David Cleveland, March 28, 2003
	Opinion Letter (Exhibit C to Item No. 6), March 25, 2003
	Ecolab Analytical & Physical Chemistry Analysis Report (Attachment B to Item No. 6-C), February 4, 2003
	Product Information Sheet for DOWANOL DPM (Attachment C to Item No. 6-C), August 2001
	Dicolube TPB (JohnsonDiversey Product Information, Attachment D to Item No. 6-C), 2002 or 2003
	DICOLUBE TPB Material Safety Data Sheet (Attachment E to Item No. 6-C), June 20, 2002
	Lubricity Properties of DPM (Attachment F to Item No. 6-C), 2003
	Dicolube System Dicolube TPB (Exhibit D to Item No. 6), 2002 or 2003
	Declaration of Amy McBroom, March 28, 2003
	Product Information Sheet for DOWANOL DPM (Exhibit A to Item No. 7), August 2001
	Ecolab Analytical & Physical Chemistry Analysis Report (Exhibit B to Item No. 7), September 5, 2000
	Dicolube TPB (JohnsonDiversey Product Information, Exhibit C to Item No. 7), 2002 or 2003
	Ecolab Analytical & Physical Chemistry Analysis Report (Exhibit D to Item No. 7), February 4, 2003

EXAMINER 	DATE CONSIDERED <u>13 April 2007</u>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

	DICOLUBE TPB Material Safety Data Sheet (Exhibit B to Item No. 7), June 20, 2002
<i>am</i>	Lubricity Properties of DPM (Exhibit F to Item No. 7), 2003
	Declaration of Rachel Zimmerman, March 28, 2003
	JohnsonDiversey Form 8-K, March 25, 2003
	Answer and Counterclaim, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey, Inc.</u> , Case No. 0:03-cv-02231, April 8, 2003
	JohnsonDiversey's Memorandum of Law in Opposition to Ecolab's Motion for a Preliminary Injunction, April 25, 2003
	Declaration of Tim A. Osswald, April 25, 2003
	Curriculum Vitae, Tim Andreas Osswald (Exhibit A to Item No. 11), 2003
	T. Osswald's Prior Testimony (Exhibit B to Item No. 11), 2002 or 2003
	DOWANOL DPM (Exhibit C to Item No. 11), April 13, 2003
	Dicolube TPB (JohnsonDiversey Product Information, Exhibit D to Item No. 11), 2002 or 2003
	DICOLUBE TPB Material Safety Data Sheet (Exhibit E to Item No. 11), June 20, 2002
	Declaration of Dr. Harriet Black Nemhard, April 25, 2003
	Minitab Output of Descriptive Statistics and Confidence Intervals on COF Data for Water, 67 ppm DPM, and 133 ppm DPM (Exhibit A to Item No. 12), 2003
	Declaration of Jacques Rouillard, April 25, 2003
	Product Information Sheet for DOWANOL DPM (Exhibit A to Item No. 13), August 2001
	Report for Project A-258, M. Stanga, Diversey S.p.A. (Exhibit B to Item No. 13), December 1996
	Report for Project A-260, M. Stanga, F. Bruschi, G. Bonaldi (Exhibit C to Item No. 13), September 1997
<i>am</i>	Revised List of Conveyor Lubricants Compatible with PET Containers (Exhibit D to Item No. 13), April 10, 1986

EXAMINER <i>[Signature]</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

<i>See</i>	Third Declaration of David R. Cleveland, May 23, 2003
	Memorandum, Opinion and Order, U.S. District Court, District of Minnesota, <u>Ecolab Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231, May 29, 2003
	Ecolab's Appeal Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, August 11, 2003
	JohnsonDiversey's Appeal Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, September 22, 2003
	Ecolab's Reply Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, October 23, 2003
	Federal Circuit Opinion, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, April 6, 2004
	Ecolab's Amended Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, June 10, 2004
	JohnsonDiversey's Answer and Counterclaim to Ecolab's Amended Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, July 2, 2004
<i>See</i>	Ecolab's Reply to JohnsonDiversey's Counterclaim, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, August 11, 2004

23552


PATENT TRADEMARK OFFICE

EXAMINER <i>Reich</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

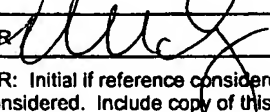
FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Glu	3,514,314	05/26/1970	Nemeth et al.	—	—	
	3,853,607	12/10/1974	Iyengar et al.	—	—	
	4,065,590	12/27/1977	Salensky	—	—	
	4,069,933	01/24/1978	Newing	—	—	
	4,105,716	08/08/1978	Sakai et al.	—	—	
	4,149,624	04/17/1979	Douty et al.	—	—	
	4,264,650	04/28/1981	Schulze et al.	—	—	
	4,274,973	06/23/1981	Stanton et al.	—	—	
	4,289,671	09/15/1981	Hernandez	—	—	
	4,478,889	10/23/1984	Maruhashi et al.	—	—	
	4,486,378	12/04/1984	Hirata et al.	—	—	
	4,515,836	05/07/1985	Cobbs, Jr. et al.	—	—	
	4,525,377	06/25/1985	Nickel et al.	—	—	
	4,534,995	08/13/1985	Pocock et al.	—	—	
	4,538,542	09/03/1985	Kennon et al.	—	—	
	4,543,909	10/01/1985	Sharpless	—	—	
	4,555,543	11/26/1985	Effenberger et al.	—	—	
	4,569,869	02/11/1986	Kushida et al.	—	—	
	4,573,429	03/04/1986	Cobbs, Jr. et al.	—	—	
	4 604 220	5 Aug. 1986	STANTON	—	—	
	4,632,053	12/30/1986	Villanueva et al.	—	—	
	4,690,299	09/01/1987	Cannon	—	—	
	4,699,809	10/13/1987	Maruhashi et al.	—	—	
	4,713,266	12/15/1987	Hasegawa et al.	—	—	
	4,714,580	12/22/1987	Maruhashi et al.	—	—	
Am	4,719,022	01/12/1988	Hyde	—	—	
	4,828,727	05/09/1989	McAninch	—	—	

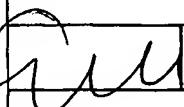
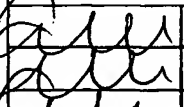
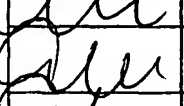
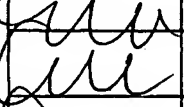
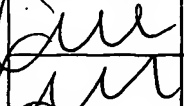
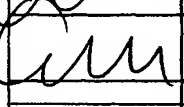
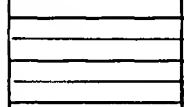
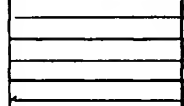
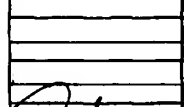
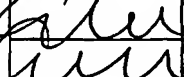
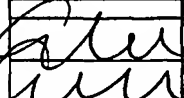
EXAMINER <i>[Signature]</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449*  INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Glu	4,851,287	07/25/1989	Hartsing, Jr.	—	—	
	4,855,162	08/08/1989	Wrasidlo et al.	—	—	
	4,874,647	10/17/1989	Yatsu et al.	—	—	
	4,919,984	04/24/1990	Maruhashi et al.	—	—	
	4 929 375	29 May 1990	ROSSIO et al.	—	—	
	4,486,378	07/03/1990	Hirata et al.	—	—	
	4,980,211	12/25/1990	Kushida et al.	—	—	
	5,001,935	03/26/1991	Tekkanat et al.	—	—	
	5,009,801	04/23/1991	Wider et al.	—	—	
	5,073,280	12/17/1991	Rossio et al.	—	—	
	5,115,047	05/19/1992	Hashimoto et al.	—	—	
	5,145,721	09/08/1992	Kojima et al.	—	—	
	5,160,646	11/03/1992	Scheld	—	—	
	5,174,914	12/29/1992	Gutzmann	—	—	
	5 182 035	26 Jan. 1993	SCHMIDT et al.	—	—	
	5,238,718	08/24/1993	Yano et al.	—	—	
	5 244 589	14 Sept. 1993	LIU et al.	—	—	
	5,317,061	05/31/1994	Chu et al.	—	—	
	5,334,322	08/02/1994	Williams, Jr.	—	—	
	Re. 34,742	09/27/1994	Maier et al.	—	—	
	5,352,376	10/04/1994	Gutzmann	—	—	
	5,371,112	12/06/1994	Sayre et al.	—	—	
	5,391,308	02/21/1995	Despo	—	—	
	5 352 376	4 Oct. 1995	GUTZMANN	—	—	
	5,509,965	04/23/1996	Harry et al.	—	—	
	5,559,087	09/24/1996	Halsrud et al.	—	—	
	5,565,127	10/15/1996	Laufenberg et al.	—	—	

EXAMINER: 	DATE CONSIDERED: 13 April 2007
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
	Customer No.: 23552	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	"FIN FOOD LUBE AL. High Penetration Teflon® Lubricating Agent Especially Suitable for Automatic Lubrication Systems for the Food Processing Industry", <i>INTERFLON</i> , 20 pgs. (Date unknown).
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	"Krytox® Dry Film Lubricants", <i>DUPONT</i> , 6 pgs. (November 1997).
	"Lube Application to Conveyor Surface/Containers", <i>Ecolab</i> , 7 pgs. (June 13, 2000).
	"Maintenance Products with Teflon®", http://www.interflon.nl/engels.htm , <i>INTERFLON</i> , 10 pgs. (Printed June 18, 1999).
	"Other Super Lube Products ... What is Super Lube®?" http://www.super-lube.com , <i>SYNCO CHEMICAL CORPORATION</i> , 5 pgs. (Printed May 5, 1999).
	Gangal, S., "Polytetrafluoroethylene", <i>Encyclopedia of Chemical Technology</i> , 4th Ed., Vol. 11, pp. 621-644 (Date unknown).
	Kondoh, M., "An Aerosol Lubricant", <i>Japanese Patent Application No. 57-3892</i> , 9 pgs. (Filed June 10, 1980; Published January 9, 1982).
	Moskala, E., "Environmental Stress Cracking in PET Beverage Containers", <i>BEV-PAK AMERICAS '96</i> , 14 pgs. (April 15-16, 1996).
	Moskala, E., "Environmental Stress Cracking in PET Carbonated Soft Drink Containers", <i>Bev Tech '98</i> , 22 pgs. (March 30-April 1, 1998).
	Tekkanat, B. et al., "Environmental Stress Cracking Resistance of Blow Molded Poly(Ethylene Terephthalate) Containers", <i>Polymer Engineering and Science</i> , Vol. 32, No. 6, pp. 393-397 (March 1992).
	U.S. Serial No. 09/655,543 filed 09/06/2000
	U.S. Serial No. 09/655,544 filed 09/06/2000
	U.S. Serial No. 09/731,118 filed 12/06/2000
	U.S. Serial No. 09/745,296 filed 12/20/2000
	U.S. Serial No. 09/838,969 filed 04/20/2001
	U.S. Serial No. 60/149,048 filed 08/16/1999
	U.S. Serial No. 60/149,095 filed 06/16/1999
	U.S. Serial No. 60/230,662 filed 09/07/2000
	Copy of International Search Report dated June 24, 2003
	Copy of European Search Report dated July 17, 2003

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Colu</i>	5,573,819	11/12/1996	Nugent, Jr. et al.	—	—	
<i>Colu</i>	5,652,034	07/29/1997	Seiner	—	—	
<i>Colu</i>	5,658,619	08/19/1997	Kirschner et al.	—	—	
<i>Colu</i>	5,663,131	09/02/1997	Winicov et al.	—	—	
<i>Colu</i>	5,672,401	09/30/1997	Anglin et al.	—	—	
<i>Colu</i>	5,681,628	10/28/1997	Niederst et al.	—	—	
<i>Colu</i>	5,698,269	12/16/1997	Carlbom et al.	—	—	
<i>Colu</i>	5,721,023	02/24/1998	Ostapchenko	—	—	
<i>Colu</i>	5 723 418	3 Mar. 1998	PERSON HEI et al.	—	—	
<i>Colu</i>	5,728,770	03/17/1998	Yamamoto et al.	—	—	
<i>Colu</i>	5,783,303	07/21/1998	Tsuei	—	—	
<i>Colu</i>	5,789,459	08/04/1998	Inagaki et al.	—	—	
<i>Colu</i>	5 863 874	26 Jan. 1999	PERSON HEI et al.	—	—	
<i>Colu</i>	5 863 871	26 Jan. 1999	BESSE et al.	—	—	
<i>Colu</i>	5,876,812	03/02/1999	Frisk et al.	—	—	
<i>Colu</i>	6,207,622	03/27/2001	Li et al.	—	—	
<i>Colu</i>	6,288,012	09/11/2001	Li et al.	—	—	
<i>Colu</i>	6,427,826	08/06/2002	Li et al.	—	—	
<i>Colu</i>	6,495,494	12/17/2002	Li et al.	—	—	
<i>Colu</i>	6,509,302	01/21/2003	Li et al.	—	—	
<i>Colu</i>	6,576,298	06/10/2003	Bennett et al.	—	—	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
<i>Colu</i>	197 20 292 C1	06/04/1998	DE	—	—		X
<i>Colu</i>	0 359 330 A2	03/21/1990	EP	—	—		
<i>Colu</i>	WO 98/51746	11/19/1998	PCT	—	—		

EXAMINER <i>Heck</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Sheet 1 of 1

Date Mailed: August 4, 2004

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HBI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>[Signature]</i>	6,653,263 B1	11/25/03	KÜPPER ET AL	—	—	
<i>[Signature]</i>	6,677,280 B2	01/13/04	KÜPPER ET AL	—	—	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER <i>[Signature]</i>	DATE CONSIDERED <i>13 April 2007</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Notice of References Cited	Application/Control No. 10/614,474		Applicant(s)/Patent Under Reexamination HEI ET AL.	
	Examiner Ellen M. McAvoy		Art Unit 1764	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,534,172	07-1996	Perry et al.	508/156
*	B	US-6,780,823	08-2004	Li et al.	508/113
*	C	US-6,806,240	10-2004	Hei et al.	508/208
*	D	US-6,809,068	10-2004	Kupper et al.	508/208
*	E	US-6,962,897	11-2005	Kupper et al.	508/582
*	F	US-7,067,182	06-2006	Li et al.	428/35.7
*	G	US-7,091,162	08-2006	Lewis et al.	508/165
*	H	US-7,109,152	09-2006	Corby et al.	508/183
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.